

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORIGINAL SIDE
INCOME TAX APPEAL NO. 737 OF 2002

The Commissioner of Income Tax
Mumbai City XV Mumbai Appellant

vs.

Smt. Khadeeja Ebrahim Respondent

Ms. S.V. Bharucha i/b. Mr.K.B. Rao for the
appellant.

CORAM : R. M. LODHA &
J.P. DEVADHAR, JJ

DATED : 10th September 2004

P.C.

Heard.

2. The issue raised in the appeal is admittedly covered by the Division Bench judgment of this Court in the case of Cadell Weaving Mill Co.Pvt.Ltd. v. Commissioner of Income-tax, 249 ITR 265. The learned counsel for the revenue, however, submits that the said judgment is under challenge before the Supreme Court. Even if that be so, in so far as we are concerned, the controversy stands concluded by the Division Bench judgement cited supra.

3. No substantial question of law arises.

4. Appeal is dismissed in limine.

(R.M. LODHA, J.)

(J.P. DEVADHAR,J.)